GPN-J-332-ARHCB-8_94-13,10,500-ALA4.
SPL.H.C.A.S.C.D. 79e.

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE.
CRIMINAL APPLICATION NO. 519 OF 2005

The State of Maharashtra ...Applicant
versus
Samadhan Annaso Patil & ors. ...Respondent.

Office Notes, Office Memorada orders or directions and Registrar‘s orders.

Court‘s or Judge‘s Orders.

Shri A.S.Shitole APP for State

CORAM; V.G. PALSHIKAR &
V.C. DAGA, JJ.

DTAED; 9TH JUNE, 2005.

P.C.

1. The learned trial Judge has on appropriate consideration of the evidence on record found the accused persons guilty u/s. 326 IPC and punished them to suffer R.I. for one year. The State has appealed against this order seeking enhancement of sentence as also challenging the acquittal u/s 307 IPC. From the perusal of the impugned order and the connected records, we are of the view that there is no perversity in the impugned order, awarding

of punishment is a matter of discretion and in the circumstances of the case it cannot be said that the discretion was ill exercised. Hence no interference is called for. Hence both the applications, leave to appeal and appeal for enhancement are rejected.

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